



U.S. Department of Justice

CHANNING D. PHILLIPS
*Acting United States Attorney for the
District of Columbia*

*Judiciary Center
555 Fourth St. N.W.
Washington, D.C. 20530*

PRESS RELEASE

FOR IMMEDIATE RELEASE

Monday, June 22, 2009

For Information Contact:

Public Affairs

(202) 514-6933

http://www.usdoj.gov/usao/dc/Press_Releases/index.html

Former Record Searcher Sentenced for Falsification of Federal Background Investigations

WASHINGTON - Paul G. Higgins, a 32-year-old former record searcher at U.S. Investigations Services, Inc. ("USIS"), who reviewed records in connection with background investigations on behalf of the U.S. Office of Personnel Management ("OPM"), was sentenced today to a suspended sentence of 180 days in prison and to a two-year period of supervised probation for fraud in the second degree, Acting U.S. Attorney Channing D. Phillips announced today.

Higgins, of Stafford, Virginia, was sentenced by U.S. Magistrate Judge Alan Kay, after pleading guilty in February 2009. The Court also ordered Higgins to pay a total of \$10,000 in restitution to OPM.

According to the factual proffer agreed to by Higgins at the time of the plea, Higgins was employed by USIS as a record searcher under contract to review records in connection with background investigations on behalf of OPM. OPM's Federal Investigative Services Division ("FISD"), formerly known as the Center for Federal Investigative Services, is responsible for conducting background investigations for numerous federal agencies and their contractors. OPM-FISD has an investigator workforce comprised of federal agents employed by OPM-FISD and investigators and record searchers employed by various companies, such as USIS, under contract with OPM-FISD to conduct background investigations. OPM-FISD conducts background investigations of individuals who are either employed by or seeking employment with federal agencies or government contractors. The purpose of the background investigations is to determine individuals' suitability for positions having access to classified information, for positions impacting national security, and for receiving or retaining security clearances.

In conducting these background investigations, contract investigators conduct interviews of individuals who have information about the person who is the subject of the background investigation. In addition, contract investigators and record searchers seek out, obtain, and review

documentary evidence, such as employment records, to verify and corroborate information provided by either the subject of the background investigation or by persons interviewed during the investigation. After conducting interviews and obtaining documentary evidence, contract investigators and record searchers prepare a Report of Investigation (“ROI”), containing the results of the interviews and record reviews, and electronically submit the ROI to OPM in Washington, D.C. OPM then provides a copy of the investigative file to the requesting agency and maintains a copy in its records system.

The ROI containing the results of the interviews and record reviews conducted during a background investigation is utilized and relied upon by the agency requesting the background investigation to determine whether the subject of the investigation is suitable for a position having access to classified information, for a position impacting national security, or for receiving or retaining security clearance.

On or about June 9, 2007, in a ROI of a background investigation of M.W. Higgins represented that he had reviewed a personnel record provided by C.R., when, in truth and in fact, Higgins had neither received nor reviewed a personnel record from C.R. On the same date, Higgins electronically submitted to OPM in Washington, D.C., his ROI on the background investigation of M.W., which Higgins knew contained the above-mentioned false representation. This false representation was material, as it influenced the government’s decisions and activities with respect to M.W.

Between January 2007 and August 2007, on approximately seventeen occasions, in his ROI’s on background investigations, Higgins represented that he had reviewed certain records obtained by him when, in truth and in fact, Higgins had not obtained those records. Higgins electronically submitted to OPM in Washington, D.C., these ROI’s, knowing that they contained false representations. These false representations were material, as they influenced the government’s decisions and activities with respect to the subjects of those background investigations. Higgins engaged in this scheme and systematic course of conduct with intent to defraud and to obtain property of USIS, that is, a portion of his salary, through his false representations in his ROI’s.

Higgins’s false representations in his ROI’s on background investigations have required OPM-FISD to reopen numerous background investigations and redo numerous record checks that were assigned to Higgins during the time period of his falsifications, at an estimated cost of at least \$10,000 to the United States government.

In announcing the sentence, Acting U.S. Attorney Phillips praised the hard work of Special Agent Derek M. Holt, OPM, Office of the Inspector General, and Philip Kroop, Chief, Integrity Assurance Group, OPM-FISD. Mr. Phillips also acknowledged the efforts of Assistant U.S. Attorneys Ellen Chubin Epstein and Thomas E. Zeno, who investigated and prosecuted this matter.

###